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9 Attorney for Claimant Kap S. Sims

10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**  
12 **SAN FRANCISCO DIVISION**

13 **UNITED STATES OF AMERICA,**

14 Plaintiff,

15 vs.

16 **APPROXIMATELY \$ 57,378 IN**  
17 **UNITED STATES CURRENCY**

18 Defendant.

19 **KAP S. SIMS,**

20 Claimant.

**NO. 08-CV-5023 WSA WHA**

**STIPULATION AND ORDER TO**  
**CONTINUE CASE MANAGEMENT**  
**CONFERENCE**

**Date: February 12, 2009**

**Time: 11:00 a.m.**

**Place: Courtroom of**  
**Honorable William Alsup,**  
**U.S. District Court Judge**

21  
22 The parties stipulate, subject to the Court's approval, that the Case Management  
23 Conference date for defendants Claimant be continued until after the Court determines  
24 whether the instant case is related to *United States v. Earl Harrel Sims, II*, 08-CR-0443 MMC,  
25 filed on July 8, 2008, on the basis that both this case and the criminal case arise out of the  
26 same operative facts. Counsel in the criminal case are in the process of negotiating a plea  
27 agreement that would potentially settle the civil forfeiture action. After the Court determines

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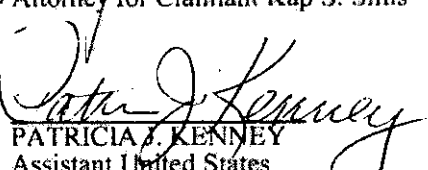
1 whether to relate the cases, the parties intend to request the Court to stay the civil action based  
2 on 18 U.S.C. § 981(g).

3 **IT IS SO STIPULATED:**

4  
5 DATED: February 11, 2009

  
\_\_\_\_\_  
ALEX R. KESSEL  
Attorney for Claimant Kap S. Sims

6  
7  
8 DATED: February 11, 2009

  
\_\_\_\_\_  
PATRICIA J. KENNEY  
Assistant United States  
Attorney for UNITED STATES OF AMERICA

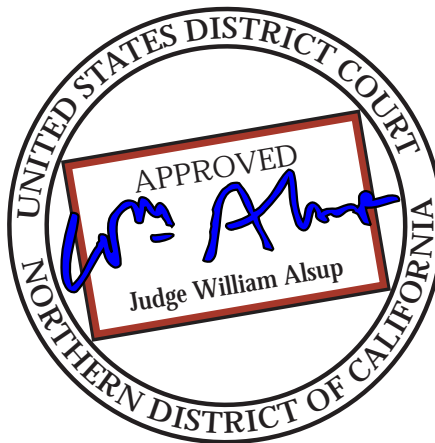
9  
10  
11 **IT IS SO ORDERED:**

12 HONORABLE WILLIAM A. ALSUP  
13 United States District Judge

14  
15 **ORDER**

16 The case management conference is CONTINUED to February 26, 2009,  
17 at 3:00 p.m.

18 Dated: February 12, 2009.



Stip & Order  
No. 08-5023